REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks.

Claims Status

Claims 1-30 are pending. Claims 1, 3-16 and 18-30 have been rejected. Claims 2 and 17 have been objected to. Of the pending rejected claims, claims 1 and 16 are independent in form.

Claim Rejections under 35 USC § 103(a):

Claims 1, 3-16 and 18-30 have been rejected under 35 U.S.C. §103(a) as being unpatenable over U.S. Patent No. 4,972,453 to Daniel, III et al. (herein "Daniel").

Applicant respectfully disagrees with the rejections of the pending claims and respectfully submits that the claims as pending, as will be discussed in detail below, are in-fact patentably distinct from the art of record.

Independent Claims 1, 16

The Examiner has taken the position that Daniel teaches a PBX switch, a computing platform coupled to the PBX switch; and component based interface objects running on said computing platform and defining properties, methods and events, said properties, methods and events being mapped to automatically control common paradigms.

However, the Examiner admits that Daniel does not specifically teach the use of a control interface for controlling CSTA protocols. Nonetheless, the Examiner alleges that "this feature is old and well known as admitted by applicant specification page 3, lines 1–3" (Office Action, ¶ 2).

Closer review of Daniel reveals that it appears to be directed to an autonomous system for directly maintaining remote computer systems by directly accessing the remote computer system, diagnosing, and clearing those computer systems. According to Daniel, the expert system automates the technician-performed remote access process by automating the step of placing a data call through the public telephone switching network and then invoking the test procedure. See Daniel col. 2, lines 40-54. Daniel does not teach or suggest a control interface for controlling CSTA protocols (or, for that matter, any other protocol) in a PBX switch.

The present invention, on the other hand, is directed to a method and apparatus for automatically generating common paradigms in computer supported telephony applications

(CSTA) protocols. The present invention includes a control interface for controlling CSTA protocols that utilizes, e.g., ActiveX properties, methods, and events. ActiveX is a set of tools that enable software components to interact with one another in a networked environment, regardless of the language in which the components were created. Common paradigms, such as for example, Invoke_ID and timers, are built into the interface. The interface can provide statistics and diagnostics via property pages. For example, the interface of the present invention is able to access events and services provided by the CSTA protocols

Thus, the present invention as claimed is different in at least these respects, and consequently in scope and claimed matter, from Daniel. Applicant respectfully submits that Daniel does not teach or suggest the claimed invention, and respectfully disagrees with the Examiner's attributing several elements of independent claims 1 and 16 to Daniel.

Specifically, claim 1 in the present invention is directed to a control interface for controlling CSTA protocols in a PBX switch. On the other hand, Daniel is directed to performing remote maintenance on a plurality of PBX switches from a remote location, and not to a control interface or to the CSTA protocol. Daniel does not address, suggest or even mention a method for interacting between the CSTA protocol and a control interface.

Further, Applicant disagrees with the Examiner's characterization of the disclosure of Daniel in attributing a "component based interface objects running on said computing platform and defining properties, methods, and events, said properties, methods and events being mapped to automatically control common paradigms" as being within the teachings of Daniel. The Examiner alleges that the component based interface objects may read on the expert system that invokes the testing procedure. Applicant submits that the referenced expert system does not qualify as a component-based interface object. The Examiner fails to show how the expert system described in Daniel is, or can be, used to define properties, methods and events where these methods, properties and events can be mapped automatically to control common paradigms. The burden is on the Examiner to show how this claim element is present in Daniel and Applicant respectfully submits that this burden has not been met.

Accordingly, Applicant believes that claims 1 and 16 as pending are neither anticipated by nor rendered obvious in view of Daniel, taken individually or in combination with any other cited reference.

Dependent Claims

Applicant have not independently addressed the rejections of the dependent claims 3-15 and 18-30 because Applicant believes that, as the independent claims 1 and 16 from which the dependent claims depend are allowable for at least those reasons discussed *supra*, the dependent claims are allowable for at least similar reasons. Applicant however, reserves the right to address such rejections should such be necessary.

Claim Objections/ Allowable Subject Matter

Claims 2 and 17 have been objected to as being dependent upon a rejected base claim but as otherwise containing allowable subject matter.

Accordingly, Applicant respectfully submits that the inventions as recited in the claims 1-30 as presented herein are neither anticipated by nor rendered obvious in view of, and are therefore allowable over, the art of record, taken alone or in combination, and respectfully request that the respective rejections and objections be withdrawn.

Provisional Double Patenting Rejection

Claims 1-30 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of co-pending Application No. 09/864,057.

While the rejection of these claims under the judicially created doctrine of obviousness-type double patenting is provisional as none of the claims identified as being in conflict have yet been patented, Applicants herewith submit a Terminal Disclaimer under 37 CFR §1.321 disclaiming the term of any patent issuing from this application in view of any patent granted from US Application No. 09/864,057. Applicants' filing of the Terminal Disclaimer is not intended to be construed as an admission as to the merits of this rejection but is merely done to facilitate prosecution and obviate the rejection.

Applicants respectfully submit that this provisional rejection is hereby overcome and respectfully request that it be withdrawn.

In view of the foregoing, Applicants believe that claims 1-30 as pending are patentable over the prior art of record, taken alone or in combination, and respectfully request that the respective rejections be withdrawn and the application allowed.

CONCLUSION

All the rejections/objections of claims having been addressed and the claims as pending being believed allowable, Applicant submits that the application is hereby placed in condition for allowance.

Based on the foregoing, Applicant respectfully request reconsideration and allowance of this application.

Applicant believe no fees or extension of time are required for this Request for Reconsideration. However, should an extension of time be required for the timely submission of this paper, such extension is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 19-2179.

In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

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